

3727

PATENT
Customer No. 22,852
Attorney Docket No. 04350.0012-00000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of:

Richard A. ESSER et al.

Application No.: 09/689,615

Filed: October 13, 2000

For: RAPID DEPLOY HAZMAT
CONTAINMENT DEVICE

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) Group Art Unit: 3727
)
) Examiner: Castellano, S.
)
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)

Mail Stop Appeal--Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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TECHNOLOGY CENTER R3700

Sir:

TRANSMITTAL OF SUPPLEMENTAL APPEAL BRIEF PURSUANT TO
37 C.F.R. 1.193(b)(ii)

Transmitted herewith in triplicate is the SUPPLEMENTAL APPEAL BRIEF in this application in response to the Office Action dated August 28, 2003. Appellants request that the fees paid for the Notice of Appeal filed February 25, 2003, and Appeal Brief filed June 25, 2003, be applied to this Supplemental Appeal Brief (see M.P.E.P. § 1208.02).

This application is on behalf of

☒ Small Entity ☐ Large Entity

Pursuant to 37 C.F.R. 1.17(c), the fee for filing the Supplemental Appeal Brief is:

☒ \$160.00 (Small Entity)


☐ \$330.00 (Large Entity)

- ☒ As explained, Appellants request that the fee of \$160.00 (Small Entity) previously paid for the Appeal Brief filed June 25, 2003, be applied to this Supplemental Appeal Brief.¹

PETITION FOR EXTENSION. If any extension of time is necessary for the filing of this Supplemental Appeal Brief, and such extension has not otherwise been requested, such an extension is hereby requested, and the Commissioner is authorized to charge necessary fees for such an extension or for any other appropriate fees for filing this Supplemental Appeal Brief to our Deposit Account No. 06-0916. A duplicate copy of this paper is enclosed for use in charging the deposit account.

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: March 1, 2004

By: 
Michael L. Woods
Reg. No. 50,811

¹ The fees required under 37 C.F.R. §§1.17(b) and (c) have increased from \$320.00 to \$330.00 on October 1, 2003 (\$160.00 to \$165.00 for Small Entity). Because Appellants are entitled to reinstate the Appeal Brief filed on June 25, 2003, Appellants request that the difference between the fees be waived. Should, however, these fees not be waived, Appellants authorize the Commissioner to charge any remaining balance to our Deposit Account No. 06-0916.